

## REMARKS

This application has been carefully reviewed in light of the Office Action dated May 21, 2003 (Paper No. 23). Claims 21, 24 and 25 are in the application, of which Claims 21 and 25 are independent. Reconsideration and further examination are respectfully requested.

Claims 8 and 10/8 had been rejected under 35 U.S.C. § 102(b) over European 756,935 (Ono); Claims 2, 5, 10/(2,5) and 23 had been rejected under § 102(b) over European 709,211 (Boyd); and Claims 6, 7, 19, 20 and 22 had been rejected under § 103(a) over U.S. Patent 5,509,140 (Koitabashi) in view of Boyd. All these claims have been cancelled so as to focus the issues, and therefore have been cancelled without prejudice or disclaimer of subject matter, and without conceding the correctness of these rejections.

Claims 21 and 24 were rejected under § 103(a) over Koitabashi in view of Boyd. It is respectfully requested for the Examiner to reconsider and withdraw this rejection, as explained more fully below.

The invention concerns use of an absorbent such as a fiber material contained in a housing of an ink tank. According to the invention, the absorbent has surfaces formed by thermal processing, such as thermoforming, except at least one face that is a non-thermally-processed cut face. As set out in independent Claim 21 herein, the absorbent in an uncompressed state has a content volume larger than that of a chamber in which it is installed, and the non-thermally-processed cut face is cut in a state where the

absorbent is compressed in a compression direction and a compression state which are the same as those when the absorbent is inserted into the chamber.

As described with respect to one representative embodiment of the invention, beginning for example at line 8 of page 18, cutting in this manner allows cut planes to be arranged in the same condition to match interfaces of the ink tank. As a result, it becomes possible to largely suppress irregular surface conditions that might otherwise be created if the cut were made without compression. In addition, because the cut is made under compression, it is possible to ensure that the cut face has a highly flat surface which ensures close contact with inner faces of the ink tank.

The applied art is not seen to disclose or to suggest the foregoing, particularly as regards cutting of a non-thermally-processed cut face in a state where an ink absorbent is compressed in a compression direction and a compression state which are the same as those when the ink absorbent is inserted into an installation chamber.

More particularly, and as conceded in the Office Action, Koitabashi does not disclose that the face of an ink absorbent is formed by cutting. The Office Action cites to *In re Thorpe* in support of its position that “patentability of a product is based on the product itself and does not depend on its method of production”. While true as a general proposition, Applicants respectfully respond that there are manifest differences in structure (and not merely methods of production) between a thermally-formed face and a non-thermally-formed cut face. Page 8 of the Amendment dated April 28, 2003 describes many of these differences, and other differences are disclosed throughout the specification.

In any event, it is undeniably true that Koitabashi does not described a non-thermally-processed cut face, and that it consequently cannot possibly describe formation of a non-thermally-processed cut face in a compression state and compression direction which are the same as those when an ink absorbent is inserted into its containing chamber.

Boyd is not seen to disclose what is missing from Koitabashi. Boyd discloses that an absorbent is installed under compression. However, it is silent about formation of a non-thermally-processed cut face and in particular is silent concerning the feature of non-thermally cut face that is cut in a state where the absorbent is compressed in a compression direction in a compression state which are the same as those when the absorbent is inserted into its containing chamber. As noted above, formation of a cut face under compression results in a face which is flatter than might otherwise result if cutting were performed in an uncompressed state, with compression applied during the insertion process.

Ono was not applied in the rejection of any claims under consideration and a detailed discussion thereof is therefore no seen as warranted. Nevertheless, it is Applicant's position that Ono discloses noting concerning formation of a non-thermally-processed cut face by cutting in a state where an ink absorbent is compressed in a compression direction and a compression state which are the same as those when the ink absorbent is inserted into its containing chamber.

It is therefore respectfully submitted that Claim 21 is fully in condition for allowance.

Claim 25 has been added and is directed to an ink tank comprising an ink tank main body including an ink supply portion and an atmospheric communication portion, and an ink absorbent installed in the ink tank main body which has thermally-processed faces and at least one non-thermally-processed cut face. The ink absorbent in an uncompressed state has a content volume larger than that of the ink tank main body, and the non-thermally processed cut face is cut in a state where the ink absorbent is compressed in a compression direction and a compression state which are the same as those when the ink absorbent is inserted into the ink tank main body.

The art of record is not seen to disclose or to suggest such an arrangement, and allowance of Claim 25 is therefore respectfully requested.

No other matters being raised, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

  
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